GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA

UNSTARRED QUESTION NO:3575
ANSWERED ON:21.12.2015
Migrant Workers
Ahlawat Smt. Santosh;Nagar Shri Rodmal;Patle Smt. Kamla Devi;Saraswati Shri Sumedhanand;Sigriwal Shri Janardan Singh

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a)whether the Government monitors the enforcement of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 and if so, the reaction of the Government thereto;
(b)whether the Government also maintains a register for the migrant workers and if so, the number of such works including unskilled and agricultural labourers in the country at present State/UT-wise including Madhya Pradesh;
(c)whether the Government has conducted any study in regard to the living standard, health and safety of these migrant workers;
(d)if so, the details thereof and the steps taken or being taken by the Government for the welfare of migrant workers; and
(e)the various steps taken by the Government to check the trend of inter- State migration and also to issue identity card to such/migrant workers in the country?

Answer

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT
(SHRI BANDARU DATTATREYA)

(a): Yes, Madam. Office of Chief Labour Commissioner (Central) monitors the enforcement of Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 through regular inspections in central sphere. The details of enforcement of Inter- State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 in Central Sphere Establishments are as under.
Contd..2/-

Sl. No.	Particulars	2012-13	2013-14	2014-15	2015-16
1.	No. of Inspections conducted	155	286	78	41
2	No. of Irregularities	1967	1807	1038	466
3	No. of Prosecutions Launched	51	109	49	04
4	No. of Convictions	77	50	35	04

(b): Inter-state Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 provides for registration of only establishments engaging the inter-state migrant workers. The register for migrant workers is not maintained at the central level.
(c) & (d): Government has not conducted any study in regard to living standard, health and safety of migrant workers. However Government has conducted study on (i) Tribal Migrant from Jharkhand Region of Bihar relating to causes and consequences (ii) Inter-State Migrant Workers relating to actual Conditions of Work (iii) Inter-State Migrant Workmen Act relating to Evaluation of Implementation and Impact of the Act on Construction Workers in Delhi and a Framework for Monitoring the Implementation of the Act and (iv) Changing Migrant Behavior of Bihari Labourer Participation in Agriculture relating to Economic Analysis of Punjab & Bihar.

In order to safeguard the interest of the migrant workers, the Central Government has enacted the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 which, inter alia, provides for payment of minimum wages, journey allowance, displacement allowance, residential accommodation, medical facilities and protective clothing etc. The provisions of various labour laws like The Employees' Compensation Act, 1923, The Payment of Wages Act, 1936, The Industrial Disputes Act, 1947, The Employees' State Insurance Act, 1948, The Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and the Maternity Benefit Act, 1961 are also applicable on migrant workers.
Contd..3/-

The Government has also enacted the Unorganized Workers' Social Security Act, 2008 to provide for social security and welfare of unorganized workers including migrant workers.

(e): In order to check the trend of inter-state migration the Government has enacted Mahatma Gandhi National Rural Employment Guarantee (MGNREGA) Act, 2005 which aims at enhancing the livelihood security of people in rural areas by guaranteeing hundred days of wage-employment in a financial year to a rural household whose adult members volunteer to do unskilled manual work. According to the MGNREGA Act, employment shall be provided within a radius of five kilometers of the village where the applicant resides at the time of applying. In cases the employment is provided outside such radius, it must be provided within the Block and the labourers shall be paid 10% extra wages. As such, providing local employment, on demand by the household, mitigates distress migration.

Government has not decided to issue identity card to migrant workers yet.

****